

**UNITED STATES COURT OF APPEALS  
FOR THE EIGHTH CIRCUIT**

WILLIAM COUSER and SUMMIT  
CARBON SOLUTIONS, LLC,

Plaintiffs-Appellees,

v.

SHELBY COUNTY, IOWA, et al.,

Defendants-Appellants.

WILLIAM COUSER and SUMMIT  
CARBON SOLUTIONS, LLC,

Plaintiffs-Appellees,

v.

STORY COUNTY, IOWA, et al.,

Defendants-Appellants.

Case Nos. 23-3758 and 23-3760

**DEFENDANTS-APPELLANTS'  
MOTION FOR EXTENSION OF  
TIME TO FILE PETITION FOR  
PANEL REHEARING AND/OR  
PETITION FOR REHEARING  
EN BANC**

Appellants, pursuant to Federal Rule of Appellate Procedure 40(d)(1) and Eighth Circuit Rule 27A(a)(13), hereby move the Court for a 14-day extension of time to file a petition for panel rehearing and/or a petition for rehearing en banc, and in support, state as follows:

1. On June 5, 2025, the Court filed its opinion in this matter.

2. Pursuant to Federal Rule of Appellate Procedure 40(d)(1), the current deadline for Appellants to file a petition for panel rehearing and/or a petition for rehearing en banc is June 19, 2025.

3. The undersigned has been out of state on a family vacation since the opinion was filed and will not have an opportunity to meet with his clients to discuss a potential petition for rehearing until he returns home the week of June 16, 2025.

4. To give the undersigned time to confer with his clients and, if necessary, prepare the potential petition, Appellants request a 14-day extension, or until July 3, 2025, to file a petition for panel rehearing and/or petition for rehearing en banc.

WHEREFORE, Appellants request that the Court extend their deadline to file a petition for panel rehearing and/or petition for rehearing en banc to July 3, 2025.

/s/ Jason M. Craig

Jason M. Craig (AT0001707)

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### **CERTIFICATE OF COMPLIANCE**

1. This document complies with the word limit of Fed. R. App. P. 27(d)(2) because, excluding the parts of the document exempted by Fed. R. App. P. 32(f), this document contains 201 words.

2. This document complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because this document has been prepared in a proportionally spaced typeface using Microsoft Word for Office 365 in 14-point Times New Roman.

/s/ Jason M. Craig

### **CERTIFICATE OF SERVICE**

I hereby certify that on June 13, 2025, I filed a copy of the foregoing with the Clerk of Court using the Appellate CM/ECF system which effected service on all participants in the case who are registered CM/ECF users.

/s/ Jason M. Craig

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